

REMARKS/ARGUMENTS

Favorable reconsideration of the present application in light of the following discussion is respectfully requested.

Claims 1-26 are currently pending in the application, no claim amendments are presented. Thus, no new matter is added.

In the outstanding Official Action, Claims 1-8, 11, and 14-22 were provisionally rejected under 35 U.S.C. §101 as claiming the same invention as that of Claims 1-8, 9 and 10-18 respectively of co-pending Application No. 10/366,520 (hereinafter, “application ‘520”); Claims 9, 10, 23 and 24 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitation of the base claim and any intervening claims; and Claims 12, 13, 25 and 26 were allowed.

Applicants appreciatively acknowledge the indication of allowable subject matter.

Claims 1-8, 11 and 14-22 have been rejected under 35 U.S.C. §101 as claiming the same invention as that of Claims 1-8, 9 and 10-18 respectively of co-pending application ‘520. Application ‘520, which was allowed, is the now-abandoned parent application of the present application. Since the parent application ‘520 is now abandoned the provisional rejection of Claims 1-8, 11 and 14-22 under 35 U.S.C. §101 as claiming the same invention as co-pending application ‘520, has been rendered moot.

In a conversation with Examiner Keshavan on July 12, 2004 Applicants intentions to abandon the parent application were discussed. Examiner Kehavan stated that in order for the rejection officially overcome the parent application must be abandoned. Therefore, an express abandonment has been submitted and the parent application ‘520 has been officially abandoned.

Accordingly, Applicants respectfully request that the provisional rejection of Claims 1-8, 11 and 14-22 under 35 U.S.C. §101, be withdrawn.

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Further, since Claims 1-8, 11 and 14-22 are identical to Claims 1-8, 9 and 10-18, which were allowed in the parent application, these Claims are believed to be allowable over the prior art of record.

Therefore, since the provisional rejection of Claims 1-8, 11 and 14-22 under 35 U.S.C. §101 has been rendered moot, and remaining Claims 9, 10, 12, 13, 23 and 24-26 are indicated by the Official Action as being allowable over the prior art of record, the present Application is believed to be in condition for formal allowance.

If the Examiner believes any additional formal matter need to be addressed in order to place this application in condition for allowance, the Examiner is respectfully requested to contact the undersigned by telephone at the Examiner's convenience.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

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